PATENT COOPERATION TREATY

To:

JO Eui Je
TOP PATENT & LAW FIRM
RM. 1405, Hyechun Bldg., #831,
Yuksam-dong,
Gangnam-gu, Seoul 135-080
Republic of Korea

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing *(day/month/year)*	10 November 2004 (10.11.2004)
Applicant's or agent's file reference: SGG-1743-P	**FOR FURTHER ACTION** See paragraph 2 below

International application No.	International filing date *(day/month/year)*	Priority Date *(day/month/year)*
PCT/KR 2004/001682	8 July 2004 (08.07.2004)	9 July 2003 (09.07.2003)

International Patent Classification (IPC) or both national classification and IPC
G06F 19/00, G06F 17/00

Applicant
PARK KYUNG-YANG

1. This opinion contains indications relating to the following items:

- ☒ Cont. No. I Basis of the opinion
- ☐ Cont. No. II Priority
- ☐ Cont. No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Cont. No. IV Lack of unity of invention
- ☒ Cont. No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Cont. No. VI Certain documents cited
- ☐ Cont. No. VII Certain defects in the international application
- ☐ Cont. No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ AT	Authorized officer
Austrian Patent Office Dresdner Straße 87, A-1200 Vienna	KÖGL C.
Facsimile No. +43 / 1 / 534 24 / 535	Telephone No. +43 / 1 / 534 24 / 440

Continuation No. I

Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed.

Continuation No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims **1-24**	**YES**
	Claims **----**	**NO**
Inventive step (IS)	Claims **10-13,16-19**	**YES**
	Claims **1-9,14,15,20-24**	**NO**
Industrial applicability (IA)	Claims **1-24**	**YES**
	Claims **----**	**NO**

2. Citations and explanations:

The following documents are mentioned in the International Search Report; the numbering will be adhered to in the rest of the procedure:

D1: US 2002/0165022 A1
D2: US 2002/0151366 A1

D1 teaches an "Internet advertising system" with a managing server (figure 10, position 4) and a game module (figure 10, position 12). The service provider (paragraph 41) could manage for example the managing server. The advertising symbols (pictures, symbols, etc.) can be stored in the server of the service provider or in any other server. Storing data or information (e.g. advertising symbols) in one or different servers is a well known standard and this feature do not involve an inventive step. The slot machine is also mentioned in the paragraph 45 of this document. The network represents the Internet (figure 1a, position 1). Figure 1b, position 17 discloses a user (customer) register module as well. Document **D1** shows all technical features of **Claims 1 and 15**. Independent **Claims 1 and 15** show beside the known technical features also a lot of non-technical features. Therefore **Claim 1 and Claim 15** is formal novel in respect of the prior art. Dependent **Claims 2-14** (subsidiary Claims of Claim 1) and **Claims 16-24** (subsidiary Claims of Claim 15) are per definition novel over prior art as well.

An invention consisting of a mixture of technical and non-technical features and having technical character as a whole is to be assessed with respect of the requirement of inventive step by taking account of all those features which contribute to said technical character whereas features making no such contribution cannot support the presence of inventive step.

The following non-technical features are mentioned in **Claim 1**:

- "for use in a slot machine"
- "from a number of advertising sponsors according to different advertising contract conditions" (method of doing business)
- "provided from the service provider server" (it could be also provided by another server)

The following non-technical features are mentioned in **Claim 2**:

- "... which classifies the advertising symbols provided from the service provider server according to the advertising content by category ..." (method of doing business)
- "... which designates an exposure frequency and position of an advertising image to an ad contract condition with the sponsor" (method of doing business)

The follow non-technical features are mentioned in **Claim 9**:

- "... that used in the premium shopping mall."

The following non-technical features are mentioned in **claim 15**:

- "... for use in a slot machine"
- "... generating various kind of advertising images according to different advertising contract conditions ..."

The difference between the subject matter of the **claims 1,2,9,15,20 and 22-23** and the prior art is the presence of non-technical features or well known technical features. These non-technical features or well known technical features cannot support the presence of any inventive step. Therefore the subject matter of these claims is formal novel in respect of the prior art but does not involve an inventive step. The **Claims 1,2,9,15,20 and 22-23** are not patentable.

The **Claims 3-8** show in technical point of view also well known technical features. These dependent **Claims 3-8** can not be considered to involve any inventive step as well.

D2 describes the features of **Claim 14** in figure 4, position 408 bidirectional communication with a question-to-answer quiz between the gaming system and the user. **D2** shows the missing technical features of the **Claim 21** (paragraph 54) and **Claim 24** (paragraph 42) as well. The combination of **D1 and D2** shows the subject matter of **Claims 14, 21 and 24**.These dependent **Claims 14, 21 and 24** do not fulfil the requirement of an inventive step.

Summarising the subject matter of the **Claims 1-24** is novel in respect of the prior art because of the presence non-technical features. D1 shows all technical features of the independent **Claims 1 and 15**. Document **D1** in combination with **D2** shows all technical features of the dependent **Claims 2-9,14 and 20-24**. Therefore **Claims 1-9,14,15 and 20-24** do not involve an inventive step. The **Claims 10-13 and 16-19** show a small but favourable advantage in respect of the prior art.